



Minutes of MAYOR AND COUNCIL Meeting

Approved by Mayor and Council
on August 2, 2004

Date of Meeting: May 3, 2004

The Mayor and Council of the city of Tucson met in regular session, in the Mayor and Council Chambers in City Hall, 255 West Alameda, Tucson Arizona, at 5:35 p.m. on Monday, May 3, 2004, all members having been notified of the time and place thereof.

1. ROLL CALL

The meeting was called to order by Mayor Walkup and upon roll call, those present and absent were:

Present:

José J. Ibarra
Carol West
Kathleen Dunbar
Shirley Scott
Steve Leal
Fred Ronstadt
Robert E. Walkup

Council Member Ward 1
Council Member Ward 2
Council Member Ward 3
Council Member Ward 4
Council Member Ward 5
Vice Mayor Ward 6 (arrived at 5:37)
Mayor

Absent/Excused:

None

Staff Members Present:

Mike Letcher
Michael House
Kathleen S. Detrick

Deputy City Manager
City Attorney
City Clerk

2. INVOCATION AND PLEDGE OF ALLEGIANCE

The invocation was given by Reverend Ronald H. Rude from the Lutheran Campus Ministry, after which the pledge of allegiance was presented by the entire assembly.

3. MAYOR AND COUNCIL REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced that city manager's communication number 208, dated May 3, 2004, would be received into and made a part of the record. He also announced that this was the time scheduled to allow members of the Mayor and Council to report on current events and asked if there were any reports.

- (a) Council Member West announced that she would be hosting a town hall on Friday, May 7 at 2:00 p.m. at the Fellowship Square, 8111 East Broadway. The topic would be "Fraudulent Schemes and Scams".
- (b) Vice Mayor Ronstadt announced there would be a Tucson Police Foundation fundraiser Saturday, May 8th to raise the funds needed to send the Hardesty family to Washington D.C. Call 791-4601 for more information. Also, Saturday May 8th would be the 5th annual gala event, "Light up the Fox" which raises funds for the Fox Theatre restoration.

4. CITY MANAGER'S REPORT: SUMMARY OF CURRENT EVENTS

Mayor Walkup announced that city manager's communication number 209, dated May 3, 2004, would be received into and made a part of the record. He asked for the city manager's report.

Deputy City Manager, Michael Letcher announced:

- a. There was a traveling Watercolor Exhibit celebrating the Beauty of Tucson's Washes that will be showcased at the Main Library during the month of May. Check out the City's website www.ci.tucson.az.us and click on Transportation for a complete schedule.
- b. Last Saturday the Tucson Police Department honored 42 volunteers who contributed 14,000 hours of service. Two of these individuals received special presidential recognition for volunteering over 4,000 hours each.

5. LIQUOR LICENSE APPLICATIONS

Mayor Walkup announced that city manager's communication number 215, dated May 3, 2004, would be received into and made a part of the record. He asked the city clerk to read the liquor license agenda.

Kathleen S. Detrick, city clerk, announced that there were no applications for licenses scheduled for this agenda.

6. CONSENT AGENDA ITEMS A THROUGH D

Mayor Walkup announced that the reports and recommendations from the city manager on the consent agenda items would be received into and made a part of the record. He asked the city clerk to read the consent agenda items.

A. INTERGOVERNMENTAL AGREEMENT: WITH PIMA COUNTY FOR TWICE-A-DAY INITIAL COURT APPEARANCES AND ARRAIGNMENTS

- (1) Report from City Manager MAY3-04-210 CITY-WIDE
- (2) Resolution No. 19821 relating to Intergovernmental Agreements; approving and authorizing an Intergovernmental Agreement with Pima County on behalf of Pima County Superior Court and Pima County Consolidated Justice Courts for the provision of Twice-A-Day Initial Appearances; and declaring an emergency.

B. RIO NUEVO MULTI-PURPOSE FACILITIES DISTRICT: APPOINTMENTS TO THE BOARD OF DIRECTORS

- (1) Report from City Manager MAY3-04-211 CITY-WIDE
- (2) Resolution No. 19820 relating to Rio Nuevo Multi-Purpose Facilities District appointing Margaret C. Hardy, and reappointing Ruben Suarez to the Board of Directors; and declaring an emergency.

C. REAL PROPERTY: VACATION AND SALE OF SURPLUS CITY PROPERTY ON WEST SPEEDWAY BOULEVARD TO FILIBERTO PINEDA

- (1) Report from City Manager MAY3-04-212 W1
- (2) Ordinance No. 9960 relating to real property; dedicating certain portions of City owned real property in the vicinity of West Speedway Boulevard between Riverside Drive and Grande Avenue as rights-of-way; vacating and declaring certain other portions of City owned property on West Speedway Boulevard between Riverside Drive and Grande Avenue to be surplus, and authorizing the sale thereof to Filiberto Pineda; and declaring an emergency.

D. PETITION: RESPONSE TO PETITION FROM KENNETH RINEER REGARDING FIREARMS IN CITY PARKS

- (1) Report from City Manager MAY3-04-206 CITY-WIDE

It was moved by Council Member Scott, seconded by Council Member Dunbar, that consent agenda items A through D be passed and adopted and the proper action taken.

Mayor Walkup asked if there was any discussion. There was none.

Upon roll call, the results were:

Aye: Council Members Ibarra, West, Dunbar, Scott and Leal; Vice Mayor Ronstadt and Mayor Walkup.

Nay: None

Absent/Excused: None

Consent agenda items A through D, were declared passed and adopted by a roll call vote of 7 to 0.

7. CALL TO THE AUDIENCE

Mayor Walkup announced that this was the time any member of the public was allowed to address the mayor and council on any issue except for any items scheduled for a public hearing. Speakers would be limited to three-minute presentations. He said there were a number of speakers.

- a. Ali Gaona, representing the Tucson Children's Museum, addressed the Mayor and Council in support of the Tucson Children's Museum.
- b. Ken Scoville, addressed the Mayor and Council in support of downtown preservation of historic buildings.
- c. Michael Toney, commented to the Mayor and Council on the City Manager's recommended budget and compared urban and rural characteristics and encouraged a more natural environment as opposed to sidewalks and turf.
- d. Barry Friedman, reported to the Mayor and Council on an informal poll he conducted on people's perception on Rio Nuevo. Mr. Friedman urged that the development be a different version of life and business downtown and not another shopping mall.
- e. Anne Hazen, addressed the Mayor and Council in opposition to demolition of the "Talk of the Town" building.
- f. Gretchen Lueck, addressed the Mayor and Council in opposition to demolition of the "Talk of the Town" building.
- g. Roy Martin, addressed the Mayor and Council in opposition to demolition of the "Talk of the Town" building.
- h. Winston Watson, addressed the Mayor and Council in opposition to demolition of the "Talk of the Town" building.
- i. Rex Fence, urged the Mayor and Council to "Save the Sangin Warehouse".

- j. Lloyd Winston, addressed the Mayor and Council in opposition to demolition of the “Talk of the Town” building.
- k. Lieutenant Woodstock(sp), from a downtown arts group (Sangin) commented to the Mayor and Council that the artists were the victims of revitalization.
- l. Erika Krieder, addressed the Mayor and Council in opposition to demolition of the “Talk of the Town” building.
- m. Leith Kahl, urged the Mayor and Council to give careful consideration when revitalizing downtown and noted that many people may be driven out of downtown by higher prices.

Presentation: At this time the Mayor Proclaimed April to be Arizona Multihousing Association “Project Safe” month.

8. **ZONING: (C9-02-12) OCHOA – ST. MARY’S ROAD, R-2 TO O-2, REACTIVATION AND TIME EXTENSION**

Mayor Walkup announced that city manager’s communication number 213, dated May 3, would be received into and made a part of the record and that this was a request to reactivate a case and a request for a time extension for property located at the northeast corner of St. Mary’s Road and Westmoreland Avenue. He asked if the applicant or a representative was present and if so, were they aware of and agreeable to the proposed conditions.

Marc Ochoa, 2831 N. Broken Arrow, the applicant, replied that he was aware of and amenable to the conditions.

Mayor Walkup recognized Council Member Ibarra.

Council Member Ibarra asked that this item be continued for thirty days, because the applicant had not called his office to set up a meeting and he received an e-mail from Margaret McKenna, the President of Barrio Hollywood Neighborhood Association. Council Member Ibarra read the e-mail into record.

To Peter Rico, Council Member Ibarra’s Office,

Per our discussion today on behalf of the Barrio Hollywood Neighborhood Association, I would like to object to the rezoning on the property C9-02-12, Ochoa – St. Mary’s Road, R-2 to O-2, 1322 W. St. Mary’s Road due to the lack of notice from the property owner. I believe that the owner needs to meet with all of the residents and the neighborhood association.

Margaret McKenna, President
Barrio Hollywood Neighborhood Association

Council Member Ibarra said that this item should be continued for thirty days so that the applicant could get with the ward one office, so that they could connect him with Barrio Hollywood. Council Member Ibarra said he could then attend their next neighborhood association meeting to let them know what he was doing in their neighborhood and answer all of their questions. After that, he could come back to the mayor and council and it would not be a problem. Out of courtesy and respect for the neighborhood association, that should be done before the mayor and council makes any decision on this property. He asked if that was agreeable to the applicant.

Mr. Ochoa agreed with Council Member Ibarra, but said that he twice sent out mailings as requested by the City Planning and Zoning Department, and he had been physically present, waiting for someone to come by. He said he had invited them to come into the office and he paid \$275 each time he requested meetings. He has been trying to cooperate and inform them what his intentions were.

Council Member Ibarra suggested the best thing to do now was to go to their neighborhood association meeting because what the council was hearing was two different things from two different sides. The best thing would be to put everyone in the same room and he thought that it would be something that could work out very easily. It was just a matter of a little bit of communication on both sides.

Mayor Walkup asked if there was any further discussion. There was none.

It was moved by Council Member Ibarra, seconded by Council Member West, and carried by a voice vote of 7 to 0, to continue zoning case C9-02-12 for 30 days.

7. CALL TO THE AUDIENCE (Mayor reopened call to the audience to hear Ms. Peterson)

- n. Cele Peterson, addressed Mayor and Council in support of preserving historic downtown structures and urged that any action be delayed until the Historical Commission had a chance to tour the building (scheduled for May 13th).

9. WATER: NOTICE OF INTENTION TO INCREASE WATER RATES, AND SCHEDULING A PUBLIC HEARING FOR JUNE 7, 2004

Mayor Walkup announced that city manager's communication number 214, dated May 3, would be received into and made a part of the record. He also asked the city clerk to read resolution 19822, by number and title only.

Resolution No. 19822

Relating to water; approving and authorizing the CWAC rate recommendations; approval of notice of intent to increase certain water rate components and fees; to schedule a public hearing; and declaring an emergency.

Mayor Walkup recognized Council Member Leal.

It was moved by Council Member Leal, seconded by Council Member Scott, that resolution 19822 be passed and adopted, and staff be directed to file the report with the proposed rate changes in the City Clerk's Office, and set June 7, 2004 for the public hearing regarding rate changes.

Mayor Walkup asked if there was any discussion. There was none.

Upon roll call, the results were:

Aye: Council Members West, Dunbar, Scott and Leal; Vice Mayor Ronstadt and Mayor Walkup.

Nay: Council Member Ibarra

Absent/Excused: None

Resolution 19822 was declared passed and adopted by a roll call vote of 6 to 1.

10. APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES

Mayor Walkup announced that city manager's communication number 207, dated May 3, 2004, would be received into and made a part of the record. He asked for a motion to approve the appointments in the report.

It was moved by Vice Mayor Ronstadt, seconded by Council Member Leal and carried by a voice vote of 7-0, to appoint William Burks, Disabled American Veterans; Cactus Chapter #2, Lester L. Potts, The American Legion, Post #36, to the Veterans' Affairs Committee. Reappoint Bernard McCaffery, American Legion Post #73 to the Veterans' Affairs Committee and the reassignment of Ross E. Dodge from Fleet Reserve Association, Old Pueblo Branch 176 to Fleet Reserve Association, Green Valley Branch 77 to the Veteran Affairs Committee.

Council Member West announced her personal appointment of Joe Yee to the Human Relations Commission.

Council Member Leal announced his personal appointment of Mark Zepezauer to the Bond Project Oversight Committee.

11. ADJOURNMENT 6:20 p.m.

Mayor Walkup announced that the council would stand adjourned until its next regularly scheduled meeting to be held Monday May 10, 2004 at 5:30 p.m., in the Mayor and Council Chambers in City Hall, 255 W. Alameda, Tucson, Arizona.

MAYOR

ATTEST:

CITY CLERK

CERTIFICATE OF AUTHENTICITY

I, the undersigned, have read the foregoing transcript of the meeting of the Mayor and Council of the city of Tucson, Arizona, held on the 3rd day of May, 2004, and do hereby certify that it is an accurate transcription of the magnetic tape record of said meeting.

MANAGEMENT ASSISTANT

KSD:DD:NB:bp
Pragnsttp:jr